

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

\* \* \*

UNITED STATES OF AMERICA, : Case No. 1:20-cr-00142-1  
:  
Plaintiff, : **Jury Trial, Day 4**  
: Friday, June 24, 2022  
- v - :  
: 9:00 a.m.  
ALEXANDER SITTENFELD, a/k/a :  
"P.G. Sittenfeld," :  
:  
Defendant. : Cincinnati, Ohio

\* \* \*

**EXCERPTED PROCEEDINGS - CONTINUED DIRECT OF NATHAN HOLBROOK**

BEFORE THE HONORABLE DOUGLAS R. COLE, DISTRICT JUDGE

\* \* \*

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## HOLBROOK - CONTINUED DIRECT

1 P R O C E E D I N G S

2 (In open court at 9:01 a.m.)

3 \* \* \*

4 (Jury in at 9:01 a.m.)

5 THE COURT: Good morning, ladies and gentlemen of the  
6 jury. I hope you had a restful evening and avoided the  
7 temptation to watch news or read the newspapers.

8 We're back, and we did a little better job of getting  
9 started promptly this morning. So we're going to pick up  
10 where we left off with the government's case.

11 And Special Agent Holbrook, I'll remind you, sir, that  
12 you remain under oath.

13 THE WITNESS: Yes, Judge.

14 THE COURT: You may proceed.

15 MS. GAFFNEY PAINTER: Thank you, Your Honor.

16 CONTINUED DIRECT EXAMINATION

17 BY MS. GAFFNEY PAINTER:

18 Q. Special Agent Holbrook, good morning.

19 A. Good morning.

20 Q. Yesterday, we went through a lot of recordings.

21 A. Yes.

22 Q. And I'd like to go back to November 7, 2018.

23 Will you please go in your exhibit binder to tab USA 15F.

24 A. Yes.

25 Q. Do you recognize this?

1 A. Yes, I do.

2 Q. What is it?

3 A. This is an audio recording that occurred in the  
4 restaurant on November 7, 2018.

5 Q. And how do you know that?

6 A. I know that because I've reviewed this disk, and I placed  
7 my initials on it.

8 MS. GAFFNEY PAINTER: The government moves for the  
9 admission of Government Exhibit USA 15F.

10 THE COURT: Any objection?

11 MR. C. HENRY RITTGERS: I'm trying to find that.

12 MR. C. MATTHEW RITTGERS: It's an audio.

13 MR. C. HENRY RITTGERS: It's the audio?

14 THE COURT: Audio recording at the restaurant.

15 MR. C. HENRY RITTGERS: No objection, Your Honor.

16 THE COURT: USA 15F is admitted without objection.

17 Q. Special Agent Holbrook, will you please turn to the next  
18 tab in your binder, USA 15G.

19 A. Yes.

20 Q. Do you recognize this?

21 A. I do.

22 Q. What is it?

23 A. This is a video and audio recording of the events that  
24 occurred in the apartment on November 7, 2018.

25 Q. How do you know that?

1 A. I know that because I reviewed this disk, and I placed my  
2 initials on it.

3 MS. GAFFNEY PAINTER: The government moves for the  
4 admission of Government Exhibit USA 15G.

5 MR. C. HENRY RITTGERS: No objection, Your Honor.

6 THE COURT: USA 15G is admitted without objection.

7 Q. To help orient us all. Yesterday, the government  
8 admitted USA 15A and 15B. Those were segments of the meeting  
9 at the Nada restaurant, and those were segments of the meeting  
10 at the apartment. Do you recall that, Special Agent Holbrook?

11 A. Yes.

12 Q. These recordings, 15F and 15G, is the entire recording  
13 for both the Nada meeting and the entire recording for the  
14 interaction in the apartment; is that right?

15 A. That is correct.

16 MS. GAFFNEY PAINTER: Okay. Your Honor, yesterday we  
17 had some technical difficulties playing a voicemail that was  
18 admitted into evidence as USA 21J, with its transcripts at  
19 USA 21K.

20 May we publish this exhibit to the jury at this time?

21 THE COURT: That's the one that, I believe, you had  
22 the special agent read to the jury; is that right?

23 MS. GAFFNEY PAINTER: Yes. That's correct.

24 THE COURT: Yes, you may do so. Ladies and gentlemen  
25 of the jury, it will be 21K in your binder.

1 (Video played.)

2 MS. GAFFNEY PAINTER: Your Honor, before we ended  
3 yesterday, we were attempting to publish USA 26A, with the  
4 transcript at USA 26B, and we encountered some technical  
5 difficulties.

6 These exhibits have been admitted into evidence, and we  
7 would request permission to publish this at this time to the  
8 jury?

9 THE COURT: You may do so. It will be 26B, ladies  
10 and gentlemen of the jury.

11 (Audio played.)

12 Q. Special Agent Holbrook, there was a reference in USA 26A  
13 to Laura Brunner. Who is Laura Brunner?

14 A. Laura Brunner is the executive director of the port.

15 Q. What is "the port"?

16 A. The port is a quasi-governmental redevelopment agency  
17 that focuses on taking blighted property, and they have  
18 financing tools that they can utilize to return the blighted  
19 property back to its highest and best use.

20 Q. The call we listened to at USA 26A happened on May 2,  
21 2019. What else of investigative significance happened on  
22 May 2, 2019?

23 A. Mr. Sittenfeld met with Rob on that date.

24 Q. Did anyone else attend that meeting?

25 A. No.

1 Q. Was that meeting recorded?

2 A. Yes.

3 Q. If you could, please, turn in your binder to tab USA 26C.

4 A. Yes.

5 Q. Do you recognize this?

6 A. I do.

7 Q. What is it?

8 A. This is a recording of the May 2, 2019 meeting between  
9 Mr. Sittenfeld and Rob.

10 Q. How do you know that?

11 A. I reviewed this disk, and I placed my initials on the  
12 disk after review.

13 MS. GAFFNEY PAINTER: The government moves for  
14 admission of USA 26C.

15 MR. C. MATTHEW RITTGERS: Your Honor, I would just  
16 like to note, for the record, that it's a partial recording;  
17 it's not the entire interaction.

18 THE COURT: I imagine Ms. Gaffney Painter will make  
19 that clear in just a second here.

20 MR. C. MATTHEW RITTGERS: Thank you.

21 THE COURT: So are you objecting or just noting that?

22 MR. C. MATTHEW RITTGERS: No objection.

23 THE COURT: USA 26C is admitted without objection.

24 Q. Special Agent Holbrook, will you please turn to the tab  
25 in your binder marked USA 26D.

1 A. Yes.

2 Q. Do you recognize this?

3 A. I do.

4 Q. What is it?

5 A. It is a transcript of the May 2, 2019 recording.

6 Q. And have you reviewed it for accuracy?

7 A. I have.

8 MS. GAFFNEY PAINTER: The government moves for the  
9 admission of Government Exhibit USA 26D.

10 MR. C. HENRY RITTGERS: No objection, Your Honor.

11 THE COURT: USA 26D is admitted without objection.

12 Q. Before we publish this exhibit and have the jury review  
13 the transcript, I would like to note the time stamps for the  
14 record.

15 And I would also like to draw the Court's attention to  
16 this is a clip we have discussed that the defendant had  
17 requested a broader range to be played. And we have that  
18 broader range, it just will not be in the transcript.

19 And I believe that what Your Honor had proposed was an  
20 advice to the jury about how to interpret that.

21 THE COURT: I see. Okay. So with this clip, there's  
22 going to be some additional material played as to which you  
23 don't have a transcript. Don't attribute the lack of a  
24 transcript to any party; it's no party's fault.

25 There's part of it where you're just going to have to

1 hear and do your best to kind of listen and hear what's said.  
2 It won't exactly match the transcript that you're looking at.

3 You may proceed.

4 MS. GAFFNEY PAINTER: Thank you, Your Honor. And now  
5 I will note for the record the time stamps that we will be  
6 playing.

7 First, we will be playing 21:33 to 23:01. That will be  
8 transcribed. And then we will continue to play, at the  
9 defendant's request, until 24:19.

10 The second clip will be 38:55 to 39:48.

11 The third clip is 1:25:38 to 1:26:04.

12 Your Honor, may we publish to the jury?

13 THE COURT: You may.

14 (Audio played.)

15 Q. Special Agent Holbrook, there was reference in USA 26C to  
16 "Jay." Who is Jay?

17 A. Jay Kincaid.

18 Q. Let's move now to June 25, 2019. Was there a call that  
19 day between Rob and Sittenfeld?

20 A. There was.

21 Q. Was that call recorded?

22 A. It was not recorded in its entirety.

23 Q. Why is that?

24 A. There was a technical delivery issue on the provider's  
25 end that caused that call to drop. I think we're familiar



1 with calls dropping when we're talking to someone. That was  
2 the same issue here.

3 It was out of the control of the case agent, and it was  
4 out of the control of Rob, who made the call.

5 Q. The next day, June 26, 2019, what happened in Cincinnati  
6 City Council?

7 A. This was the date that the Cincinnati City Council voted  
8 to transfer the 435 Elm property to the port.

9 Q. If you could, please, turn in your exhibit binder to the  
10 tab marked USA 3C.

11 A. Yes.

12 Q. Do you recognize this?

13 A. I do.

14 Q. What is it?

15 A. This is a memo, with a following city ordinance regarding  
16 the transfer.

17 Q. How do you know that?

18 A. I've reviewed this document.

19 MS. GAFFNEY PAINTER: The government moves for the  
20 admission of Government Exhibit USA 3C.

21 MR. C. HENRY RITTGERS: No objection.

22 THE COURT: USA 3C is admitted without objection.

23 Q. Now, Special Agent Holbrook, if you could, please, turn  
24 to the tabs USA 3D and USA 3E.

25 A. Yes.

1 Q. Do you recognize these?

2 A. I do.

3 Q. What are they?

4 A. 3D is the city council minutes from June 26, 2019.

5 And 3E is an excerpt of that city council meeting on  
6 June 26, 2019.

7 Q. How do you know that?

8 A. I have reviewed this disk and put my initials on it.

9 MS. GAFFNEY PAINTER: The government moves for the  
10 admission of Government Exhibits USA 3D and 3E.

11 MR. C. HENRY RITTGERS: No objection, Your Honor.

12 THE COURT: USA 3D and 3E are admitted without  
13 objection.

14 Q. Now if you could, Special Agent Holbrook, please turn to  
15 tab USA 3F.

16 A. Yes.

17 Q. Do you recognize this?

18 A. I do.

19 Q. What is it?

20 A. This is a partial transcript of the June 26, 2019 city  
21 council meeting.

22 Q. Have you reviewed it for accuracy?

23 A. I have.

24 MS. GAFFNEY PAINTER: The government moves for the  
25 admission of Government Exhibit USA 3F.

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1 MR. C. HENRY RITTGERS: No objection.

2 THE COURT: USA 3F is admitted without objection.

3 MS. GAFFNEY PAINTER: Your Honor, permission to  
4 publish this exhibit to the jury?

5 THE COURT: 3F, or which exhibit?

6 MS. GAFFNEY PAINTER: I apologize. USA 3E.

7 THE COURT: You may do so.

8 MS. GAFFNEY PAINTER: Before we begin, I would just  
9 like to note, for the record, which portions of this exhibit  
10 have been transcribed.

11 From 1:40:18 to 1:40:40.

12 And the second piece that is transcribed is 1:43:43 to  
13 1:44:51.

14 THE COURT: And 3F, I think, is available to the  
15 jurors in the transcript book; is that right?

16 MS. GAFFNEY PAINTER: That's correct.

17 THE COURT: Ladies and gentlemen, I believe it's the  
18 first tab in the transcript binder.

19 MS. GAFFNEY PAINTER: And, Your Honor, one more  
20 procedural matter.

21 We will be opening a large complete file and then  
22 dragging to the relevant time portion. It may be approximate  
23 where the drag drops, but those timestamps I gave are the  
24 timestamps for the transcript.

25 THE COURT: Thank you.

1 A. Counselor, may I clarify something?

2 Q. Certainly.

3 A. The disk actually contains the entire city council  
4 meeting, as opposed to that clip of it, so I want to clarify  
5 that.

6 MS. GAFFNEY PAINTER: May we proceed with  
7 publication?

8 THE COURT: You may.

9 (Audio played.)

10 Q. Special Agent Holbrook, directing your attention to  
11 Government Exhibit USA 3D, which is already in evidence, the  
12 minutes of the council meeting --

13 MS. GAFFNEY PAINTER: With the Court's permission,  
14 I'd like to display page 18 of already admitted USA 3D?

15 THE COURT: You may do so.

16 Q. Special Agent Holbrook, I'm directing you to page 18,  
17 item number 201901098, and it is located at the bottom of the  
18 page that is displayed, which is page 18 of USA 3D.

19 Will you please read this for the jury?

20 A. Yes. "Item 201901098, ordinance emergency, dated  
21 6.19.2019, submitted by Patrick Duhaney, city manager,  
22 authorizing the city manager to execute a sale agreement with  
23 the Hamilton County Land Reutilization Corporation and the  
24 Port of Greater Cincinnati Development Authority, pursuant to  
25 which the City of Cincinnati will sell for one dollar the

1 property located at 435 Elm Street, in the Central Business  
2 District of Cincinnati, commonly known as Convention Place  
3 Mall, together with the adjacent pocket park, in order to  
4 facilitate the redevelopment of the property and the  
5 remediation of existing hazardous conditions at the site."

6 Q. Special Agent Holbrook, let's move now to July 8, 2019.  
7 If you could turn in your binder to the tab marked USA 28A.

8 A. Yes.

9 Q. Do you recognize this?

10 A. I do.

11 Q. What is it?

12 A. This is a disk containing a July 8th, 2019 meeting  
13 between Mr. Sittenfeld, Brian, and Rob.

14 Q. How do you know that?

15 A. I reviewed this disk, and I placed my initials on the  
16 disk after review.

17 MS. GAFFNEY PAINTER: The government moves for the  
18 admission of Government Exhibit USA 28A.

19 MR. C. HENRY RITTGERS: No objection, Your Honor.

20 THE COURT: USA 28A is admitted without objection.

21 Q. Special Agent Holbrook, will you please turn now to the  
22 tab in your binder marked USA 28B.

23 A. Yes.

24 Q. Do you recognize this?

25 A. I do.

1 Q. What is it?

2 A. This is a transcript dated July 8, 2019, of the recorded  
3 meeting.

4 Q. Have you reviewed it for accuracy?

5 A. I have.

6 MS. GAFFNEY PAINTER: The government moves for the  
7 admission of Government Exhibit USA 28B.

8 MR. C. HENRY RITTGERS: No objection.

9 THE COURT: USA 28B is admitted without objection.

10 MS. GAFFNEY PAINTER: Your Honor, we seek permission  
11 to publish to the jury, but before doing so, we'd like to put  
12 the timestamps into the record.

13 THE COURT: Please do so.

14 MS. GAFFNEY PAINTER: The first segment we will be  
15 publishing is 46:09 to 47:20.

16 The second segment is 1:06:17 to 1:08:42.

17 The third segment is 1:10:38 to 1:11:16.

18 THE COURT: It says 18 in mine. 16?

19 MS. GAFFNEY PAINTER: Oh, forgive me, Your Honor. It  
20 should be 18 and not 16.

21 THE COURT: Very good.

22 MS. GAFFNEY PAINTER: Thank you. May we publish this  
23 to the jury?

24 THE COURT: You may.

25 (Audio played.)

1 Q. There was reference in 28A to a sports book.

2 What is your understanding as to what a sports book is in  
3 the context of this investigation?

4 A. My understanding is that sports book is, in this context,  
5 was a legal sports gambling facility that was going to be  
6 placed in the 435 Elm project.

7 And by way of background, in May of 2018, the United  
8 States Supreme Court struck down a law that paved the way for  
9 states to make their own decisions on sports gaming.

10 And during the course of the investigation, the Ohio  
11 General Assembly was debating on if they wanted sports  
12 gambling to be legal in the state and how they were going to  
13 legislate that.

14 Q. There was also discussion in Government Exhibit USA 28A  
15 of Vinny. Prior to this meeting, what decision did you make  
16 about the participation of Vinny?

17 A. Prior to this meeting, we decided that we were going to  
18 introduce Vinny into the investigation as an investor, and  
19 particularly an investor in the sports book side of 435 Elm.

20 Q. Let's go now to August 20, 2019.

21 If you could, please, turn to the tab in your binder  
22 marked USA 29A.

23 A. Yes.

24 Q. Do you recognize this?

25 A. I do.

1 Q. What is it?

2 A. This is a disk containing an audio recording between  
3 Mr. Sittenfeld and Rob on August 20, 2019.

4 Q. How do you know that?

5 A. I recorded this disk -- or, excuse me. I reviewed this  
6 disk, and I placed my initials on it.

7 MS. GAFFNEY PAINTER: The government moves for  
8 admission of Government Exhibit USA 29A.

9 MR. C. HENRY RITTGERS: No objection.

10 THE COURT: USA 29A is admitted without objection.

11 Q. Now, Special Agent Holbrook, if you could, please, turn  
12 to Tab USA 29B.

13 A. Yes.

14 Q. Do you recognize this?

15 A. I do.

16 Q. What is it?

17 A. It is an August 20, 2019 transcript of that recording  
18 from Mr. Sittenfeld and Rob.

19 Q. Have you reviewed it for accuracy?

20 A. Yes, I have.

21 MS. GAFFNEY PAINTER: The government moves for the  
22 admission of Government Exhibit USA 29B.

23 MR. C. HENRY RITTGERS: No objection.

24 THE COURT: USA 29B is admitted without objection.

25 MS. GAFFNEY PAINTER: Your Honor, we would request



1 permission to publish, but before doing so, would like to note  
2 on the record the timestamps that will appear in the  
3 transcript.

4 THE COURT: You may do so.

5 MS. GAFFNEY PAINTER: We will start at the beginning,  
6 00:00, and play to 00:07.

7 The second segment is 41:6:36. And the final segment is  
8 6:59 until the end. May we publish?

9 THE COURT: You may. Ladies and gentlemen of the  
10 jury, you should have a 29B tab in your transcript binder.

11 (Audio played.)

12 Q. Let's move nine days ahead, to August 29, 2019.

13 Now, if you could turn in your binder to the tab marked  
14 USA 29C.

15 A. Yes.

16 Q. Do you recognize this?

17 A. Yes.

18 Q. What is it?

19 A. This is a disk that contains an audio recording from  
20 August 29, 2019, of a telephone call between Mr. Sittenfeld  
21 and Mr. Ndukwe.

22 Q. How do you know that?

23 A. I reviewed this disk and placed my initial on it.

24 MS. GAFFNEY PAINTER: The government moves for the  
25 admission of Government Exhibit USA 29C.

1 MR. C. HENRY RITTGERS: No objection.

2 THE COURT: USA 29C is admitted without objection.

3 Q. Special Agent Holbrook, please turn to the tab USA 29D.

4 A. Yes.

5 Q. Do you recognize this?

6 A. I do.

7 Q. What is it?

8 A. This is a transcript of the August 29, 2019 telephone  
9 call between Mr. Sittenfeld and Ndukwe.

10 Q. Have you reviewed it for accuracy?

11 A. I have.

12 MS. GAFFNEY PAINTER: Your Honor, the government  
13 moves for admission of Government Exhibit USA 29D.

14 MR. C. HENRY RITTGERS: No objection.

15 THE COURT: USA 29D is admitted without objection.

16 MS. GAFFNEY PAINTER: Your Honor, may we publish this  
17 to the jury?

18 THE COURT: You may.

19 (Audio played.)

20 Q. Let's move now to September 19, 2019. If you could turn  
21 in your binder to what's been marked for identification as  
22 USA 29E.

23 A. Yes.

24 Q. Do you recognize this?

25 A. I do.

1 Q. What is it?

2 A. This is a disk containing a recorded telephone call  
3 between Rob and Mr. Sittenfeld.

4 Q. How do you know that?

5 A. I reviewed this disk, and I placed my initials on it.

6 MS. GAFFNEY PAINTER: The government moves for the  
7 admission of Government Exhibit USA 29E.

8 MR. C. HENRY RITTGERS: No objection.

9 THE COURT: USA Exhibit 29E is admitted without  
10 objection.

11 Q. Special Agent Holbrook, if you could turn to the next  
12 tab, USA 29F.

13 A. Yes.

14 Q. Do you recognize this?

15 A. I do.

16 Q. What is it?

17 A. This is a transcript of the September 19, 2019 recorded  
18 call between Mr. Sittenfeld and Rob.

19 Q. Have you reviewed it for accuracy?

20 A. Yes.

21 MS. GAFFNEY PAINTER: The government moves for the  
22 admission of Government Exhibit USA 29F.

23 MR. C. HENRY RITTGERS: No objection, Your Honor.

24 THE COURT: USA 29F is admitted without objection.

25 MS. GAFFNEY PAINTER: Your Honor, may we publish this

1 exhibit to the jury?

2 THE COURT: You may. And ladies and gentlemen of the  
3 jury, you should have a tab that's marked 29F in your  
4 transcript book.

5 (Audio playing.)

6 Q. Special Agent Holbrook, also in September 2019, were  
7 there lawsuits of significance to Mr. Ndukwe filed that month?

8 A. Yes, there was.

9 Q. Did those lawsuits, and the allegations within them,  
10 receive publicity?

11 A. Yes, they did.

12 Q. All right. Let's move now to September 24, 2019. What  
13 happened of investigative significance that day?

14 A. Mr. Sittenfeld and his chief of staff, Chris Dalton, met  
15 with Vinny, Rob, and Brian, in a hotel room in Columbus.

16 Q. Why was the meeting held in Columbus?

17 A. The meeting was held in Columbus because, as we just  
18 heard, Mr. Sittenfeld was going to be there for an event.

19 And in addition to that, Vinny, Rob, and Brian had  
20 already planned to be in Columbus on a related but separate  
21 investigation.

22 Q. Why was the meeting in a hotel room?

23 A. They didn't have an apartment or condo in Columbus, so  
24 that's where they stayed, in a hotel room.

25 Q. Were there any investigative advantages afforded by

1 having the meeting in a hotel room?

2 A. Yes. So in addition to that, the hotel room was quiet.  
3 It was private. It provided an environment to capture quality  
4 audio and video recordings, and it's an environment that we  
5 could control, as opposed to a public restaurant or a public  
6 place that would be loud and difficult to hear the  
7 conversations.

8 Q. Was that meeting recorded?

9 A. It was.

10 Q. How was that meeting recorded?

11 A. The meeting was recorded with both audio and audio/video  
12 recording devices.

13 Q. Were those audio and audio/video recording devices  
14 hidden?

15 A. Yes.

16 Q. Will you please turn to your binder to the tab USA 30A.

17 A. Yes.

18 Q. Do you recognize this?

19 A. I do.

20 Q. What is it?

21 A. This is a disk containing the video recording of the  
22 September 24, 2019 meeting.

23 Q. How do you know that?

24 A. I've reviewed this disk and placed my initials on it.

25 MS. GAFFNEY PAINTER: The government moves for the

1 admission of Government Exhibit USA 30A.

2 MR. C. MATTHEW RITTGERS: Your Honor, this is just a  
3 clarification. Is that the entirety of the interaction, 30A,  
4 or just parts of it?

5 THE COURT: Ms. Gaffney Painter?

6 MS. GAFFNEY PAINTER: Bear with me just a moment.  
7 May I confer with my colleagues?

8 THE COURT: You may.

9 MS. GAFFNEY PAINTER: Your Honor, to clarify, so 30A  
10 is the video recording that contains particular excerpts.

11 The entire video recording of the entire interaction is  
12 USA 30F, which we will also be seeking to admit into evidence,  
13 and we can do that now, if that's convenient.

14 MR. C. MATTHEW RITTGERS: No objection, Your Honor.

15 Q. So Special Agent Holbrook, will you please turn to  
16 Tab 30F.

17 THE COURT: Well, I don't think I've admitted 30A,  
18 yet, so...

19 MS. GAFFNEY PAINTER: I apologize.

20 THE COURT: I understand you to be saying no  
21 objection to 30A?

22 MR. C. MATTHEW RITTGERS: 30A, that's the segments?

23 THE COURT: That's the portions.

24 MR. C. MATTHEW RITTGERS: Subject to our rule of  
25 completeness motions. But outside of that, no objection, Your

1 Honor.

2 THE COURT: USA 30A is admitted, subject to the  
3 objection that Mr. Rittgers just raised.

4 MS. GAFFNEY PAINTER: Thank you, Your Honor.

5 Q. Special Agent Holbrook, now will you please turn to  
6 tab USA 30F.

7 A. Yes.

8 Q. Do you recognize this?

9 A. Yes.

10 Q. What is it?

11 A. This is a disk containing the video recording of the  
12 September 24, 2019 meeting in Columbus.

13 Q. Is this the entire recording?

14 A. Yes.

15 Q. How do you know it is what you just said it was?

16 A. I reviewed this recording and placed my initials on it.

17 MS. GAFFNEY PAINTER: Your Honor, the government  
18 moves for the admission of Government Exhibit 30F.

19 MR. C. HENRY RITTGERS: No objection, Your Honor.

20 THE COURT: USA 30F is admitted without objection.

21 Q. Special Agent Holbrook, will you please turn in your  
22 exhibit binder to tab USA 30B.

23 A. Yes.

24 Q. Do you recognize this?

25 A. Yes.

1 Q. What is it?

2 A. This is a transcript, partial transcript, of the recorded  
3 meeting on September 24, 2019.

4 Q. And have you reviewed it for accuracy?

5 A. I have.

6 MS. GAFFNEY PAINTER: The government moves for the  
7 admission of Government Exhibit USA 30B.

8 MR. C. HENRY RITTGERS: Subject to our objection.

9 THE COURT: I'm sorry. I didn't hear you, sir.

10 MR. C. HENRY RITTGERS: I apologize, Judge. Subject  
11 to our objection.

12 THE COURT: Okay. I'm going to admit it over the  
13 objection of Mr. Sittenfeld, so USA 30B is admitted.

14 MS. GAFFNEY PAINTER: Your Honor, before I request  
15 permission to publish this to the jury, I'd like to put on the  
16 record the timestamps.

17 THE COURT: You may do so.

18 Q. And Special Agent Holbrook, to clarify these, you  
19 testified yesterday about sessions. Can you, again, explain  
20 to us what sessions are?

21 A. Yes. So the recording devices that capture video  
22 recordings, they cut the video recordings into sessions. The  
23 device does it, it's not us doing it, because it's for the  
24 ease of transfer if it's downloaded or transferred to working  
25 copies.



1 Q. So where there exists a session break -- for instance, in  
2 the transcript we will publish shortly to the jury, there is  
3 reference to session four ending and then session five  
4 beginning.

5 Does that session break cut out any content in the video?

6 A. No. When the device cuts the recordings into sessions,  
7 they're still continuous, it's just they're in different  
8 blocks.

9 MS. GAFFNEY PAINTER: Your Honor, may I now put the  
10 timestamps from the transcript into the record?

11 THE COURT: You may.

12 MS. GAFFNEY PAINTER: So from session two, we will  
13 play from minute 7:08 to minute 7:54.

14 From session two, we will play from 9:17 to 10:06.

15 From session three, we will play from eight seconds to  
16 6:50.

17 Also from session three, we will play from 7:16 until the  
18 end of session three.

19 We will then play all of session four, all of session  
20 five.

21 And then session six, we will play from the beginning of  
22 session six until the end of the transcript, which is at 6:34.

23 THE COURT: Very good. And, Ms. Gaffney Painter,  
24 that sounds like it's going to be a relatively lengthy period  
25 of time, so if you would like to be seated at counsel table

1 while it plays, you may.

2 MS. GAFFNEY PAINTER: Thank you very much, Your  
3 Honor. May we publish this to the jury?

4 THE COURT: You may.

5 (Video played.)

6 MS. GAFFNEY PAINTER: Your Honor, may I approach the  
7 podium and continue the examination.

8 THE COURT: I wonder if this might be -- well, do you  
9 have a few follow-up questions on this?

10 MS. GAFFNEY PAINTER: No. This could be a good spot  
11 for a break.

12 THE COURT: It's about 10 'til 11:00. So why don't  
13 we take our morning break now, and we'll try to keep it  
14 relatively brief and try to have you back in the courtroom by,  
15 say, 10 after 11:00 or so.

16 I just would remind you, as I've reminded you on every  
17 occasion, please don't discuss the case with your fellow  
18 jurors. Please do not do any research on your own, by  
19 electronic means or otherwise, regarding the facts or  
20 testimony you should hear.

21 If anyone should attempt to communicate with you  
22 regarding this case, please let us know. And other than that,  
23 have a good break.

24 (Jury out at 10:51 a.m.)

25 THE COURT: Anything counsel wish to discuss before

1 we take a break?

2 MR. SINGER: No, Your Honor.

3 MR. C. HENRY RITTGERS: No, Your Honor.

4 THE COURT: All right. Why don't we take a brief  
5 recess as well.

6 (Brief recess.)

7 THE COURT: Are we ready to proceed, Counsel?

8 MR. SINGER: Yes, Your Honor.

9 MR. C. HENRY RITTGERS: Yes, Your Honor.

10 THE COURT: All right. Let's bring in the jury.

11 (Jury in at 11:11 a.m.)

12 THE COURT: Ms. Gaffney Painter, are you ready to  
13 proceed?

14 MS. GAFFNEY PAINTER: Yes. Thank you, Your Honor.

15 BY MS. GAFFNEY PAINTER:

16 Q. Special Agent Holbrook, will you please turn in your  
17 exhibit binder to the tab marked USA 30E.

18 A. Yes.

19 Q. Do you recognize these?

20 A. I do.

21 Q. What are they?

22 A. They are photocopies of checks and a deposit slip.

23 MS. GAFFNEY PAINTER: Your Honor, pursuant to a  
24 stipulation earlier in the trial, we've previously admitted  
25 bank records from Fifth Third Bank, that was USA 41A and

1 USA 41B.

2 This exhibit is an excerpt from those records that have  
3 already been admitted. The government moves for the admission  
4 of Government Exhibit USA 30E.

5 MR. C. HENRY RITTGERS: No objection, Your Honor.

6 THE COURT: USA 30E is admitted without objection.

7 MS. GAFFNEY PAINTER: May we publish to the jury?

8 THE COURT: You may.

9 Q. All right. Let's start with the first page here of  
10 USA 30E.

11 What is on this first page?

12 A. This is a photocopy of a check.

13 Q. And before the break, we watched a video exhibit. What  
14 is the relevance of this check to the video exhibit that we  
15 watched before the break?

16 A. This is one of the checks that was provided to  
17 Mr. Sittenfeld from Vinny.

18 Q. All right. What appears here on the top left corner?

19 A. The name of an LLC, Blue Stone Logistics.

20 Q. What is Blue Stone Logistics, LLC?

21 A. Blue Stone Logistics is an LLC that is controlled by the  
22 FBI.

23 Q. Who is this check made out to?

24 A. The Progress and Growth.

25 Q. What is the amount of this check?

1 A. \$5,000.

2 Q. All right. Let's proceed to the second page, please.

3 Now, if you could, what are we looking at here on this  
4 second page?

5 A. This is the back of the check after it was deposited into  
6 a Fifth Third Bank account.

7 Q. All right. If we could proceed to the third page,  
8 please.

9 What is this?

10 A. This is a check dated November 24, 2019.

11 Q. And was this one of the checks that was given to  
12 Mr. Sittenfeld by Vinny in the previous video exhibit?

13 A. Yes, it was.

14 Q. All right. What appears here at the top left corner?

15 A. The name of an LLC, Midway Development Group.

16 Q. What is Midway Development Group, LLC?

17 A. This is an LLC that is controlled by the FBI.

18 Q. Who is this check made out to?

19 A. Progress and Growth.

20 Q. What is the amount of the check?

21 A. \$5,000.

22 Q. Let's go to the fourth page. What are we seeing here?

23 A. This is the back side of the Midway Development Group  
24 check, as it was deposited into the Fifth Third Bank account.

25 Q. All right. And if we could go to the fifth page of the

1 exhibit, please. What are we looking at here?

2 A. This is a deposit slip that records the deposits of the  
3 previous two checks. You see on the right side two deposits  
4 in the amount of \$5,000, for a total of \$10,000, into a Fifth  
5 Third Bank account.

6 Q. Thank you. The day after the meeting that we watched,  
7 and that would be September 25, 2019, did Sittenfeld text Rob?

8 A. Excuse me. Can you repeat that question?

9 Q. Certainly. The day after the meeting we watched, so that  
10 would be September 25, 2019, did Sittenfeld text Rob?

11 A. Yes, he did.

12 Q. All right. If you could turn in your exhibit binder to  
13 the tab marked Exhibit 31B?

14 A. Yes.

15 Q. Do you recognize this?

16 A. Yes, I do.

17 Q. What is it?

18 A. This is a text message exchange between Sittenfeld and  
19 Rob.

20 Q. Have you reviewed it for accuracy?

21 A. I have.

22 MS. GAFFNEY PAINTER: The government moves for the  
23 admission of Government Exhibit USA 31B.

24 MR. C. HENRY RITTGERS: No objection.

25 THE COURT: Exhibit 31B is admitted without

1 objection.

2 MS. GAFFNEY PAINTER: May we publish this exhibit?

3 THE COURT: You may.

4 Q. If you could, Agent Holbrook, will you read what is  
5 displayed here on 31B?

6 A. Yes. On September 25, 2019, Mr. Sittenfeld sent a text  
7 message to Rob, at 8:10 a.m., and the text message states:  
8 "You got a quick second by phone? Two quick questions."

9 Q. Was there a subsequent phone call that same day between  
10 Rob and Sittenfeld?

11 A. Yes, there was.

12 Q. Was that call recorded?

13 A. Yes.

14 Q. Did you review that recording?

15 A. I did.

16 Q. All right. If you will turn, please, to the tab in your  
17 binder marked USA 31C.

18 A. Yes.

19 Q. Do you recognize this?

20 A. I do.

21 Q. What is it?

22 A. This is a disk containing a recorded telephone call  
23 between Mr. Sittenfeld and Rob.

24 Q. How do you know that?

25 A. I've reviewed this disk, and I placed my initials on it.

## HOLBROOK - CONTINUED DIRECT

1 MS. GAFFNEY PAINTER: The government moves for the  
2 admission of Government Exhibit USA 31C.

3 MR. C. HENRY RITTGERS: No objection.

4 THE COURT: USA 31C is admitted without objection.

5 Q. Special Agent Holbrook, please turn to the tab marked  
6 USA 31D.

7 A. Yes.

8 Q. Do you recognize this?

9 A. I do.

10 Q. What is it?

11 A. This is a transcript of the September 25, 2019 call  
12 between Rob and Mr. Sittenfeld.

13 Q. Have you reviewed it for accuracy?

14 A. I have.

15 MS. GAFFNEY PAINTER: The government moves for the  
16 admission of Government Exhibit USA 31D.

17 MR. C. HENRY RITTGERS: No objection, Your Honor.

18 THE COURT: USA 31D is admitted without objection.

19 MS. GAFFNEY PAINTER: Your Honor, permission to  
20 publish USA 31C to the jury, and allow them to follow along  
21 with the transcript at USA 31D?

22 THE COURT: You may do so. Ladies and gentlemen of  
23 the jury, there should be a tab marked 31D, as in dog, in your  
24 transcript book.

25 ( Audio played.)



1 Q. Special Agent Holbrook, there was reference in  
2 USA Exhibit 31C to a Nathan Wright. Who is Nathan Wright?

3 A. Nathan Wright is my alias.

4 Q. For what purpose?

5 A. To operate the LLCs that were previously referenced, Blue  
6 Stone Logistics and Midway Development Company, as well as the  
7 associate bank accounts.

8 Q. There was reference in USA 31C to Jason Myers?

9 A. Jason Myers was the alias of my partner at that time,  
10 Special Agent Kenneth J. Hurst.

11 Q. Was there also phone contact between Rob and Sittenfeld  
12 on September 25th and 26th, 2019?

13 A. Yes, there was.

14 Q. All right. If you could turn in your binder to what's  
15 been marked for identification as Government Exhibit USA 31F.

16 A. Yes.

17 Q. Do you recognize this?

18 A. I do.

19 Q. What is it?

20 A. This is a recorded call from Mr. Sittenfeld to Rob.  
21 Excuse me. Yes, that's correct.

22 Q. How do you know that?

23 A. I've reviewed this, and I have placed my initials on the  
24 disk.

25 MS. GAFFNEY PAINTER: The government moves for the

1 admission of Government Exhibit USA 31F.

2 MR. C. HENRY RITTGERS: No objection.

3 THE COURT: USA 31F is admitted without objection.

4 Q. Now, if you could, Special Agent Holbrook, please turn to  
5 USA 31G.

6 A. Yes.

7 Q. Do you recognize this?

8 A. I do.

9 Q. What is it?

10 A. It is the transcript of the call from Mr. Sittenfeld to  
11 Rob on September 25, 2019.

12 Q. Have you reviewed it for accuracy?

13 A. Yes.

14 MS. GAFFNEY PAINTER: Government moves for the  
15 admission of Government Exhibit USA 31G.

16 MR. C. HENRY RITTGERS: No objection.

17 THE COURT: USA Exhibit 31G is admitted without  
18 objection.

19 Q. Special Agent Holbrook, if you could turn to the tab  
20 marked USA 31H.

21 A. Yes.

22 Q. Do you recognize this?

23 A. I do.

24 Q. What is it?

25 A. This is a recorded telephone call between Mr. Sittenfeld

1 and Rob that occurred on September 26, 2019.

2 Q. How do you know that?

3 A. I've reviewed this disk, and I've placed my initials on  
4 it.

5 MS. GAFFNEY PAINTER: Your Honor, the government  
6 moves for the admission of Government Exhibit USA 31H.

7 MR. C. HENRY RITTGERS: No objection.

8 THE COURT: USA 31H is admitted without objection.

9 Q. Special Agent Holbrook, if you could turn to the next  
10 tab, 31I, and look at what is identified there.

11 A. Yes.

12 Q. Do you recognize this?

13 A. I do.

14 Q. What is it?

15 A. This is a transcript of the recording between  
16 Mr. Sittenfeld and Rob on September 26, 2019.

17 Q. Have you reviewed it for accuracy?

18 A. Yes, I have.

19 MS. GAFFNEY PAINTER: Your Honor, the government  
20 moves for the admission of Government Exhibit USA 31I.

21 MR. C. HENRY RITTGERS: No objection.

22 THE COURT: USA 31I is admitted without objection.

23 MS. GAFFNEY PAINTER: Your Honor, the government  
24 would request the opportunity to publish USA 31F and USA 31H,  
25 the recordings, and allow the jury to review the transcripts

1 that have been admitted as USA 31G and USA 31I.

2 THE COURT: Very good. So ladies and gentlemen of  
3 the jury, you should have a tab labeled 31G, and then another  
4 one labeled 31I, and the government is going to play the  
5 accompanying audio for both of those.

6 (Audio played.)

7 Q. Special Agent Holbrook, if you could turn to the tab in  
8 your binder marked USA 31J.

9 A. Yes.

10 Q. Do you recognize this?

11 A. I do.

12 Q. What is it?

13 A. This is a series of text message exchanges between  
14 Mr. Sittenfeld and Rob.

15 Q. Is it an accurate depiction of the underlying line  
16 sheets?

17 A. Yes, it is.

18 MS. GAFFNEY PAINTER: The government moves for the  
19 admission of Government Exhibit USA 31J.

20 MR. C. HENRY RITTGERS: No objection, Your Honor.

21 THE COURT: USA 31J is admitted without objection.

22 MS. GAFFNEY PAINTER: Your Honor, may we publish this  
23 exhibit?

24 THE COURT: You may.

25 Q. Special Agent Holbrook, will you please read the texts

1 that are displayed here?

2 A. Yes. On September 29, 2019, Sittenfeld texts: "For  
3 dates to meet with the guy I mentioned, October 7th doable?  
4 Or sometime week of October 14?"

5 September 30 of 2019, Rob texts: "I am trying to  
6 reschedule some things the week of the 14th."

7 Sittenfeld likes Rob's text. Sittenfeld texts: "Great.  
8 Just let me know."

9 Q. Is there a second page to this exhibit?

10 A. It's not displayed, so I didn't know if I was reading  
11 them.

12 Q. All right.

13 MS. GAFFNEY PAINTER: Thank you, Ms. Terry.

14 A. Proceed?

15 Q. Yes, please.

16 A. October 3, 2019, Sittenfeld texts: "Once you know if you  
17 can make it in the week of October 14th, I'll get you and Dan  
18 together. Preferable on my end if it's not the day of  
19 October 15th."

20 October 4th, 2019, Rob texts: "I am trying to move this  
21 other meeting. I will let you know as soon as they confirm."

22 Same day, Sittenfeld likes Rob's text.

23 October 9, 2019, Sittenfeld texts: "Let me know if you  
24 could come into town and for dinner next Wednesday,  
25 October 16th."

1           October 11, 2019, Sittenfeld texts: "16th doable? If  
2           not, no worries. Trying to simultaneously pin down your and  
3           Dan's schedules to move forward."

4           Rob texts: "Sorry, I was -- I thought I was going to be  
5           able to move things around, but I couldn't. I won't be able  
6           to get there next week."

7           Sittenfeld texts: "Understood. You still want to try  
8           another time, or even by phone with Dan?"

9           Q. Special Agent Holbrook, will you turn to the tab marked  
10          USA 31K.

11          A. Yes.

12          Q. Do you recognize this?

13          A. I do.

14          Q. What is it?

15          A. It is an October 24, 2019 telephone call between Rob and  
16          Mr. Sittenfeld.

17          Q. How do you know that?

18          A. I've reviewed this disk and placed my initials on it.

19                 MS. GAFFNEY PAINTER: The government moves for  
20          admission of Government Exhibit USA 31K.

21                 MR. C. HENRY RITTGERS: No objection.

22                 THE COURT: USA 31K is admitted without objection.

23          Q. Special Agent Holbrook, if you could turn to the next tab  
24          in the binder, 31L.

25          A. Yes.

1 Q. Do you recognize this?

2 A. I do.

3 Q. What is it?

4 A. This is a transcript of the October 24, 2019 call between  
5 Rob and Mr. Sittenfeld.

6 Q. Have you reviewed it for accuracy?

7 A. Yes, I have.

8 MS. GAFFNEY PAINTER: The government moves for the  
9 admission of Government Exhibit USA 31L.

10 MR. C. HENRY RITTGERS: No objection.

11 THE COURT: USA 31L is admitted without objection.

12 MS. GAFFNEY PAINTER: Your Honor, may we publish to  
13 the jury, but before doing so note for the record the  
14 timestamps of this exhibit?

15 THE COURT: You may do so.

16 MS. GAFFNEY PAINTER: So the timestamps will be the  
17 beginning of the file to 4:45. And then the next timestamp is  
18 4:52 until the end.

19 THE COURT: Very good. Ladies and gentlemen of the  
20 jury, you should have a 31L in your transcript book.

21 (Audio played.)

22 Q. Special Agent Holbrook, will you please turn in your  
23 binder to the tab marked USA 31M.

24 A. Yes.

25 Q. Do you recognize this?

1 A. I do.

2 Q. What is it?

3 A. It is a series of text message exchanges between  
4 Mr. Sittenfeld and Rob.

5 Q. Is it an accurate depiction of the underlying line sheets  
6 that were previously admitted?

7 A. Yes, it is.

8 MS. GAFFNEY PAINTER: The government moves for the  
9 admission of Government Exhibit USA 31M.

10 MR. C. HENRY RITTGERS: No objection, Your Honor.

11 THE COURT: USA 31M is admitted without objection.

12 MS. GAFFNEY PAINTER: May we publish to the jury,  
13 Your Honor?

14 THE COURT: You may.

15 Q. Special Agent Holbrook, will you please read the text  
16 message exchange that is displayed?

17 A. Yes. October 25, 2019, Sittenfeld texts: "Any word on  
18 coming in next week?"

19 October 27, 2019, Sittenfeld texts: "Gonna make it into  
20 town this week?"

21 Rob texts: "Yes. Tuesday."

22 Sittenfeld texts: "Want to plan on a late-ish dinner,  
23 7:45?"

24 Rob texts: "Sounds good. I think Brian is going to  
25 drive up."



1           Sittenfeld likes Rob's text.

2           Q.    Special Agent Holbrook, we've gone through phone calls  
3           and text messages from September 25th through  
4           October 27, 2019.

5           If you could turn in your binder to what's marked for  
6           identification as USA 31A.

7                   THE COURT:   You mean 32A or 31A?

8                   MS. GAFFNEY PAINTER:   31A.

9                   THE COURT:   Oh, okay.

10          A.    Yes.

11          Q.    Do you recognize this?

12          A.    I do.

13          Q.    What is this?

14          A.    This is a timeline of communications between  
15          Mr. Sittenfeld and Rob.

16          Q.    Did you review this for accuracy?

17          A.    Yes, I have.

18          Q.    Now, does it list all of of the communications that  
19          occurred between Sittenfeld and Rob during this time period?

20          A.    It does not.

21          Q.    What are some examples of communications that are not  
22          included in USA 31A?

23          A.    Hang-ups, duplicate sessions, disconnects.

24                   MS. GAFFNEY PAINTER:   The government moves for the  
25          admission of Government Exhibit USA 31A.

1 MR. C. HENRY RITTGERS: No objection, Your Honor.

2 THE COURT: USA 31A is admitted without objection.

3 MS. GAFFNEY PAINTER: May we publish for the jury,  
4 Your Honor?

5 THE COURT: You may.

6 Q. Special Agent Holbrook, if you could turn in your binder  
7 to the tab marked USA 11B.

8 A. Yes.

9 Q. Do you recognize this?

10 A. Yes.

11 Q. What is it?

12 A. This is a chronology of communications between UC Rob,  
13 Sittenfeld, Vinny, and Laura Brunner.

14 Q. Between what dates?

15 A. From October 28, 2019, to December 23, 2019.

16 Q. Have you reviewed this for accuracy?

17 A. Yes, I have.

18 MS. GAFFNEY PAINTER: The government moves for the  
19 admission of Government Exhibit USA 11B.

20 MR. C. HENRY RITTGERS: No objection, Your Honor.

21 THE COURT: USA 11B is admitted without objection.

22 Q. Now, does the exhibit that appears at USA 11B contain  
23 every communication between these dates?

24 A. It does not.

25 Q. What are some examples of communications that are not

1 included in this exhibit?

2 A. Examples of what I've previously testified to;  
3 duplicative sessions, hang-ups, dropped calls, things of that  
4 nature.

5 Q. Let's go to October 28th and 29th, 2019.

6 If you could turn to what's been identified in your  
7 binder as USA 32A.

8 A. Okay.

9 Q. Do you recognize this?

10 A. Yes, I do.

11 Q. What is it?

12 A. This is a series of text message exchanges between  
13 Mr. Sittenfeld and Rob.

14 Q. Have you reviewed it for accuracy against the previously  
15 admitted line sheets?

16 A. Yes, I have.

17 MS. GAFFNEY PAINTER: The government moves for the  
18 admission of Government Exhibit USA 32A.

19 MR. C. HENRY RITTGERS: No objection, Your Honor.

20 THE COURT: USA 32A is admitted without objection.

21 MS. GAFFNEY PAINTER: Your Honor, may we publish just  
22 the first page of this exhibit to the jury at this point?

23 THE COURT: You may.

24 Q. Special Agent Holbrook, will you please read for the jury  
25 what appears here on the first page of USA 32A?

1 A. Yes. October 28, 2019, Sittenfeld texts: "Is there a  
2 good number to reach Vinny on? Have a quick update for him."

3 Rob texts: "401-283-8585."

4 Rob texts again: "I called him. He was going into a  
5 meeting but said he would be available between 6:00 and 8:00."

6 Sittenfeld texts: "I'll be free to ring him at 7:30 p.m.  
7 Thx."

8 Q. Let's step away from that for a moment. Did Sittenfeld,  
9 in fact, call Vinny?

10 A. Yes.

11 Q. Was that call recorded?

12 A. Yes.

13 Q. I'm showing you, when you turn in your binder to  
14 Exhibit USA 32B, what's been marked for identification as  
15 USA 32B.

16 A. Yes.

17 Q. Do you recognize this?

18 A. I do.

19 Q. What is it?

20 A. This is an October 28, 2019 recording of a voicemail from  
21 Mr. Sittenfeld to Vinny.

22 Q. How do you know that?

23 A. I've reviewed this disk, and I placed my initials on it.

24 MS. GAFFNEY PAINTER: The government moves for the  
25 admission of Government Exhibit USA 32B.

1 MR. C. HENRY RITTGERS: No objection, Your Honor.

2 THE COURT: USA 32B is admitted without objection.

3 Q. If you could, Special Agent Holbrook, turn to the next  
4 tab in your binder, and that is USA 32C.

5 A. Yes.

6 Q. Do you recognize this?

7 A. I do.

8 Q. What is it?

9 A. This is a transcript of the voice message to Vinny from  
10 Mr. Sittenfeld on October 28, 2019.

11 Q. Have you reviewed it for accuracy?

12 A. Yes.

13 MS. GAFFNEY PAINTER: The government moves for the  
14 admission of Government Exhibit USA 32C.

15 MR. C. HENRY RITTGERS: No objection.

16 THE COURT: USA 32C is admitted without objection.

17 MS. GAFFNEY PAINTER: Your Honor, may we publish this  
18 exhibit to the jury and allow them to review the transcript?

19 THE COURT: You may. Ladies and gentlemen of the  
20 jury, the transcript's at 32C.

21 (Audio played.)

22 Q. On October 29, the next day, was there a call between  
23 Vinny and Sittenfeld?

24 A. Yes. Mr. Sittenfeld called Vinny.

25 Q. Was that call recorded?

1 A. Yes, it was.

2 Q. All right. If you could turn in your binder to the tab  
3 marked USA 32D.

4 A. Yes.

5 Q. Do you recognize this?

6 A. Yes. This is the October 29th -- this is a disk  
7 containing the October 29, 2019 call. I've reviewed this  
8 disk, and I've placed my initials on it.

9 MS. GAFFNEY PAINTER: Your Honor, the government  
10 moves for the admission of Government Exhibit USA 32D.

11 MR. C. HENRY RITTGERS: No objection, Your Honor.

12 THE COURT: USA 32D is admitted without objection.

13 Q. Now, Special Agent Holbrook, could you please turn to the  
14 tab marked USA 32E.

15 A. Yes.

16 Q. Do you recognize this?

17 A. I do.

18 Q. What is it?

19 A. This is a transcript of an October 29, 2019 call between  
20 Vinny and Mr. Sittenfeld.

21 Q. Have you reviewed it for accuracy?

22 A. Yes, I have.

23 MS. GAFFNEY PAINTER: Your Honor, the government  
24 moves for the admission of Government Exhibit USA 32E.

25 MR. C. HENRY RITTGERS: No objection.

1 THE COURT: USA 32E is admitted without objection.

2 MS. GAFFNEY PAINTER: Your Honor, may we publish  
3 these exhibits to the jury?

4 THE COURT: You may. Ladies and gentlemen of the  
5 jury, there should be a transcript tab marked 32E.

6 (Audio played.)

7 Q. Special Agent Holbrook, on that call, there was a  
8 reference to meeting up with Rob and Brian. Did that meeting  
9 happen?

10 A. Yes, it did.

11 MS. GAFFNEY PAINTER: All right. If we could pull  
12 back up USA 32A, which has been previously admitted into  
13 evidence but, instead, this time publish page 2, if the Court  
14 allows it?

15 THE COURT: You may.

16 Q. Special Agent Holbrook, will you please read the text  
17 exchange that's displayed here?

18 A. Yes. October 29, 2019: "What location for tonight?" was  
19 the text by Mr. Sittenfeld.

20 Rob texts: "Just come to the apartment whenever, and we  
21 will do Sotto's or Ruby's."

22 Sittenfeld texts: "Great. Will be there between 7:30  
23 and 7:45."

24 Rob texts: "Vinny said he missed your call, but he is  
25 available after 2:00 today."

1           Sittenfeld texts: "Just got to lobby."

2           Rob texts: "On the way."

3           Sittenfeld texts: "Take your time."

4       Q.   Where was this meeting held between Sittenfeld, Rob, and  
5       Brian?

6       A.   This meeting began at the apartment at the 580 Building.

7       Q.   Was that meeting recorded?

8       A.   Yes.

9       Q.   If you could turn to the tabs in your binder marked  
10      USA 33A and USA 33C.

11      A.   Yes.

12      Q.   Do you recognize these?

13      A.   I do.

14      Q.   What are they?

15      A.   33A is a disk that contains a video recording inside the  
16      apartment of the 580 Building on October 29, 2019.

17      Q.   And what is 33C?

18      A.   33C is also a recording of a continuation of the  
19      October 29, 2019 meeting after they left the apartment at the  
20      580 Building.

21      Q.   How do you know that?

22      A.   I have reviewed both of these exhibits, the disk, and I  
23      have placed my initials on them.

24               MS. GAFFNEY PAINTER: Your Honor, the government  
25      moves for the admission of Government Exhibits USA 33A and



1 USA 33C.

2 THE COURT: Any objection, Mr. Rittgers?

3 MR. C. HENRY RITTGERS: No. I'm sorry, Your Honor.  
4 No objection.

5 THE COURT: USA 33A is admitted without objection,  
6 and USA 33C is admitted without objection.

7 Q. If you could, Special Agent Holbrook, turn to tab  
8 USA 33B. And then when you are finished reviewing that,  
9 please turn to USA 33D.

10 A. Yes.

11 Q. Do you recognize these?

12 A. I do.

13 Q. What are they?

14 A. 33B is a transcript of the video recording that occurred  
15 inside the apartment at the 580 Building. And Exhibit 33D is  
16 a transcript of an audio recording after they left the  
17 apartment and went to a local restaurant.

18 Q. Have you reviewed both of these for accuracy?

19 A. Yes, I have.

20 MS. GAFFNEY PAINTER: Your Honor, the government  
21 moves for the admission of Government Exhibit USA 33B and  
22 USA 33D.

23 MR. C. HENRY RITTGERS: No objection, Your Honor.

24 THE COURT: USA 33B is admitted, and USA 33D is  
25 admitted, both without objection.

1 MS. GAFFNEY PAINTER: Your Honor, in recognition of  
2 the time, I believe that, perhaps, publishing these exhibits  
3 after lunch may be the most efficient way to proceed.

4 THE COURT: You want to play them all together?

5 MS. GAFFNEY PAINTER: Yes.

6 THE COURT: Which makes sense.

7 MS. GAFFNEY PAINTER: Yes.

8 THE COURT: Okay. So ladies and gentlemen of the  
9 jury, I actually have a hearing in another matter that's  
10 coming up shortly, so we're going to need to take a break for  
11 lunch now.

12 And I think it's unlikely that we'd be able to resume  
13 before 1:30, so if you can reassemble in the jury room shortly  
14 after 1:15, around 1:20, and we'll try to get you back down  
15 here by 1:30.

16 I would just remind you, I know you're breaking for  
17 lunch, and I know you're probably sick of hearing this  
18 admonition, but please do not discuss this case with each  
19 other.

20 Please don't do any research on the internet or any other  
21 way with regard to the facts or claims at issue here. Please  
22 do not communicate with anyone outside the jury about the case  
23 either, and if anyone attempts to communicate with you about  
24 the case, please let me know.

25 With that, have a good lunch.

1 (Jury out at 12:11 p.m.)

2 THE COURT: Thank you for being mindful of the time,  
3 Ms. Gaffney Painter. I appreciate that.

4 Is there anything we need to discuss before we break for  
5 lunch?

6 MR. SINGER: No, Your Honor.

7 MR. C. HENRY RITTGERS: No, Your Honor.

8 THE COURT: Very good. We'll take a brief recess for  
9 lunch. As you heard, I have a plea hearing that starts at  
10 12:30, so I imagine it's going to be, at the earliest, 1:15 or  
11 1:20 before I can be back here, so just try to be here a  
12 little before 1:30.

13 MS. GAFFNEY PAINTER: Your Honor, for the convenience  
14 of the parties for the plea, should we remove the --

15 THE COURT: We're not doing the plea here.

16 MS. GAFFNEY PAINTER: Oh, great. Thank you.

17 (Lunch recess.)

18 THE COURT: Is counsel ready to proceed?

19 MR. SINGER: Yes, Your Honor.

20 MR. C. HENRY RITTGERS: Yes, Your Honor.

21 THE COURT: All right. Let's bring in the jury.

22 My proceeding ran a little long. I apologize.

23 (Jury in at 1:38 p.m.)

24 THE COURT: Ms. Gaffney Painter, are you ready to  
25 proceed?

1 MS. GAFFNEY PAINTER: Yes. Thank you, Your Honor.

2 Your Honor, before the lunch break, the government had  
3 moved into evidence Government Exhibits USA 33A and USA 33C,  
4 and had also admitted the corresponding transcripts,  
5 Government Exhibit USA 33B and Government Exhibit USA 33D.

6 The government seeks permission to publish these exhibits  
7 and would like to note on the record the timestamps that we  
8 will be publishing.

9 THE COURT: You may do so.

10 MS. GAFFNEY PAINTER: For Government Exhibit USA 33A,  
11 the timestamps are for file 1D158-1, starting at 8:12 to 9:33.

12 In that same first session, we are then playing 36:53 to  
13 the end of session one.

14 We will then play the beginning of session two to 2:20.

15 For Government Exhibit USA 33D, the government will be  
16 publishing 1D161-1, that's session one, at 54:24 to 55:43.

17 The government will then publish 1:03:10 to 1:07:55.

18 And the government will finally publish 1:11:40 to  
19 1:12:55.

20 And, Your Honor, before we publish, may I have  
21 permission, since this is a longer clip, to sit during the  
22 publication?

23 THE COURT: You may.

24 MS. GAFFNEY PAINTER: Thank you.

25 THE COURT: Ladies and gentlemen of the jury, they're

1 now going to play, it should be 33B and 33D would be the  
2 accompanying transcripts, and they are side by side in your  
3 volume of transcripts there.

4 (Video played.)

5 MS. GAFFNEY PAINTER: Your Honor, may I approach the  
6 podium and continue the examination?

7 THE COURT: You may.

8 BY MS. GAFFNEY PAINTER:

9 Q. Special Agent Holbrook, there was a reference to checks  
10 during that meeting back in the 580 Building. Will you please  
11 turn in your exhibit binder to the tab marked USA 33E.

12 Do you recognize this?

13 A. I do.

14 Q. What is?

15 A. It is one of the checks that was given to Mr. Sittenfeld  
16 on October 29, 2019.

17 Q. And what about the other pages of the exhibit?

18 A. There's the back of the first check, and then there's a  
19 second check that was also provided to Mr. Sittenfeld on  
20 October of 2019. And then there's a deposit ticket for the  
21 checks.

22 MS. GAFFNEY PAINTER: Your Honor, previously,  
23 pursuant to a stip, the parties agreed to admission of the  
24 Fifth Third records, which were then admitted at USA 41A and  
25 USA 41B.

1           The exhibit here, USA 33E, is a subsection of those  
2 records that have previously been admitted.

3           The government moves for the admission of USA 33E.

4           THE COURT: Has the witness described the total of  
5 it, or did you only want the first few pages? I'm not clear  
6 what's going on right now.

7           MS. GAFFNEY PAINTER: I just wanted him to  
8 acknowledge what the exhibit is and that he has reviewed it.

9           And then these records have come from a subset of records  
10 that have already been admitted.

11          THE COURT: I see.

12          MS. GAFFNEY PAINTER: And so now I'm moving for the  
13 admission of this subset of records, which is USA 33E.

14          THE COURT: Okay. So so far, he's identified two  
15 checks and a deposit statement. I'm just -- there appear to  
16 be more parts to this.

17          MS. GAFFNEY PAINTER: Yes. I can have him walk  
18 through the remainder of the pages, if that would be helpful?

19          THE COURT: That's all right. If there's no  
20 objection -- any objection to the admission?

21          MR. C. MATTHEW RITTGERS: No, Your Honor.

22          THE COURT: All right. USA 33E is admitted without  
23 objection.

24          MS. GAFFNEY PAINTER: May we publish this exhibit for  
25 the jury?

1 THE COURT: You may.

2 Q. All right. Special Agent Holbrook, looking at this  
3 exhibit here of USA 33E, what appears in the top left-hand  
4 corner here?

5 A. It's the name of an LLC, IN2IT Global Corporation, with  
6 an address.

7 Q. What is IN2IT Global Corporation, LLC?

8 A. This is a limited liability corporation that is  
9 controlled by a confidential unit source.

10 Q. And who is it made out to?

11 A. The Progress and Growth.

12 Q. And what is the amount of this check?

13 A. It's \$5,000.

14 Q. All right. Could we please go to the third page of this  
15 exhibit.

16 What appears at the top left-hand corner of this page?

17 A. An LLC named Four Kross USA, LLC.

18 Q. And what is Four Kross USA, LLC?

19 A. This is an LLC that is controlled by a confidential unit  
20 source.

21 Q. What is the amount of this check?

22 A. The amount is 5,000.

23 Q. And who is the check made out to?

24 A. Progress and Growth.

25 MS. GAFFNEY PAINTER: Now, Ms. Terry, will you please

1 publish the subsequent pages of this exhibit.

2 Q. Special Agent Holbrook, the pages that follow, those  
3 records that appear there, what do these records show?

4 A. Could you be more specific?

5 Q. Certainly. The records that follow the two copies of the  
6 checks, what action does it indicate has happened to the  
7 checks that we've previously looked at?

8 A. The checks were deposited into the account of Progress  
9 and Growth.

10 Q. Special Agent Holbrook, will you turn to what's been  
11 marked for identification as USA 34A.

12 A. Yes.

13 Q. Do you recognize this?

14 A. Yes.

15 Q. What is this?

16 A. This is a recording on November 14th of 2019 of a  
17 voicemail left by Mr. Sittenfeld.

18 Q. How do you know that?

19 A. I have reviewed this disk, and I've placed my initials on  
20 it.

21 MS. GAFFNEY PAINTER: The government moves for the  
22 admission of Government Exhibit USA 34A.

23 THE COURT: Mr. Rittgers?

24 MR. C. HENRY RITTGERS: I'm sorry. No objection.

25 THE COURT: USA 34A is admitted without objection.



1 Q. Now, Special Agent Holbrook, if you'll turn to tab  
2 USA 34B. Do you recognize this?

3 A. Yes.

4 Q. What is it?

5 A. This is a transcript related to the November 14, 2019  
6 voice message.

7 Q. Have you reviewed it for accuracy?

8 A. I have.

9 MS. GAFFNEY PAINTER: The government moves for the  
10 admission of Government Exhibit USA 34B.

11 MR. C. HENRY RITTGERS: No objection, Your Honor.

12 THE COURT: USA 34B is admitted without objection

13 Q. Special Agent Holbrook, if you could, turn to the tab in  
14 your binder to USA 34C.

15 A. Yes.

16 Q. Do you recognize this?

17 A. This is a November 14, 2019 call between Mr. Sittenfeld  
18 and Rob.

19 Q. How do you know that?

20 A. I had reviewed the disk, and I placed my initials on it.

21 MS. GAFFNEY PAINTER: The government moves for  
22 admission of Government Exhibit USA 34C.

23 MR. C. HENRY RITTGERS: No objection, Your Honor.

24 THE COURT: USA 34C is admitted without objection.

25 Q. Special Agent Holbrook, will you please turn to the tab

1 marked USA 34D.

2 A. Yes.

3 Q. Do you recognize this?

4 A. I do.

5 Q. What is it?

6 A. This is a transcript of the November 14, 2019 call  
7 between Mr. Sittenfeld and Rob.

8 Q. Have you reviewed it for accuracy?

9 A. I have.

10 MS. GAFFNEY PAINTER: The government moves for the  
11 admission of Government Exhibit USA 34D.

12 MR. C. HENRY RITTGERS: No objection, Your Honor.

13 THE COURT: USA 34D is admitted without objection.

14 MS. GAFFNEY PAINTER: Your Honor, the government  
15 seeks permission to publish Government Exhibit USA 34A first,  
16 and then Government Exhibit USA 34C next.

17 THE COURT: Very good. Ladies and gentlemen of the  
18 jury, you're now going to hear two audio clips. The  
19 transcription for the first one appears at 34B in your binder.

20 And the transcription for the second one appears at the  
21 tab labeled 34D in your binder, which would be right after  
22 34B.

23 (Audio played.)

24 Q. Special Agent Holbrook, the next day, November 15, 2019,  
25 was there phone contact between Sittenfeld and Vinny?

1 A. Did you say November 15, 2019?

2 Q. November 15, 2019.

3 A. Yes.

4 Q. If you could, please, turn to the tab of your binder  
5 that's marked USA 35A.

6 A. Yes.

7 Q. Do you recognize this?

8 A. I do.

9 Q. What is it?

10 A. It is a November 15, 2019 voicemail left by  
11 Mr. Sittenfeld for Vinny.

12 Q. How do you know that?

13 A. I reviewed this disk, and I placed my initials on it.

14 MS. GAFFNEY PAINTER: Your Honor, the government  
15 moves for the admission of Government Exhibit USA 35A.

16 MR. C. HENRY RITTGERS: No objection.

17 THE COURT: USA 35A is admitted without objection.

18 Q. Special Agent Holbrook, if you can turn to the next tab,  
19 USA 35B.

20 A. Yes.

21 Q. Do you recognize what appears there?

22 A. I do.

23 Q. What is it?

24 A. This is a transcript of the November 15, 2019 voice  
25 message left for Vinny by Mr. Sittenfeld.

1 Q. Have you reviewed this for accuracy?

2 A. I have.

3 MS. GAFFNEY PAINTER: The government moves for the  
4 admission of Government Exhibit USA 35B.

5 MR. C. HENRY RITTGERS: No objection.

6 THE COURT: USA 35B is admitted without objection.

7 Q. Special Agent Holbrook, if you could turn to the tab  
8 marked USA 35C.

9 A. Yes.

10 Q. Do you recognize this?

11 A. Yes. This is a November 15, 2019 call between  
12 Mr. Sittenfeld and Vinny.

13 Q. How do you know that?

14 A. I have reviewed this disk, and I have placed my initials  
15 on it.

16 MS. GAFFNEY PAINTER: The government moves for the  
17 admission of Government Exhibit USA 35C.

18 MR. C. HENRY RITTGERS: No objection.

19 THE COURT: USA 35C is admitted without objection.

20 Q. Special Agent Holbrook, if you could turn to the next  
21 tab, USA 35D?

22 A. Yes.

23 Q. What appears there?

24 A. This is the transcript of the November 15, 2019 call  
25 between Mr. Sittenfeld and Vinny.

1 Q. How do you know that?

2 A. I have reviewed this transcript.

3 MS. GAFFNEY PAINTER: The government moves for the  
4 admission of Government Exhibit USA 35D.

5 MR. C. HENRY RITTGERS: No objection.

6 THE COURT: USA 35D is admitted without objection.

7 MS. GAFFNEY PAINTER: Your Honor, the government  
8 seeks permission from the Court to publish both of the  
9 recordings that were just admitted, that is USA 35A and  
10 USA 35C.

11 THE COURT: You may do so. Ladies and gentlemen of  
12 the jury, you should have a tab in your transcript book that  
13 is labeled USA 35B, followed by USA 35D, which should be the  
14 transcripts that correspond to the audio you're about to hear.

15 Of course, to the extent there's any discrepancy, it's  
16 the audio that governs. You may play it.

17 (Audio played.)

18 Q. Special Agent Holbrook, directing your attention to  
19 November 27, 2019, was there phone contact between Sittenfeld  
20 and Vinny on that day?

21 A. Yes, there was.

22 Q. If you could turn in your binder to the tab marked  
23 USA 36A.

24 A. Yes.

25 Q. Do you recognize this?

1 A. Yes.

2 Q. What is it?

3 A. This is a disk containing the November 27, 2019 call  
4 between Vinny and Mr. Sittenfeld.

5 Q. How do you know that?

6 A. I've reviewed this disk, and I've placed my initials on  
7 it.

8 MS. GAFFNEY PAINTER: The government moves for the  
9 admission of Government Exhibit USA 36A.

10 MR. C. HENRY RITTGERS: No objection, Your Honor.

11 THE COURT: USA 36A is admitted without objection.

12 Q. Special Agent Holbrook, if you would, please, turn to the  
13 tab marked USA 36B.

14 A. Yes.

15 Q. Do you recognize this?

16 A. Yes.

17 Q. What is it?

18 A. This is a transcript of the November 27, 2019 call  
19 between Mr. Sittenfeld and Vinny.

20 Q. Have you reviewed it for accuracy?

21 A. I have.

22 MS. GAFFNEY PAINTER: The government moves for the  
23 admission of Government Exhibit USA 36B.

24 MR. C. HENRY RITTGERS: No objection.

25 THE COURT: USA 36B is admitted without objection.

1 MS. GAFFNEY PAINTER: Your Honor, may we publish this  
2 exhibit to the jury?

3 THE COURT: You may. Ladies and gentlemen of the  
4 jury, there should be a tab marked 36B in your transcript  
5 book.

6 (Audio played.)

7 Q. Special Agent Holbrook, directing your attention to  
8 December 9, 2019, was there phone contact between Sittenfeld  
9 and Vinny that day?

10 A. Yes, there was. Vinny called Mr. Sittenfeld that day.

11 Q. If you could turn in your binder to the tab marked  
12 USA 37A.

13 A. Yes.

14 Q. Do you recognize this?

15 A. I do.

16 Q. What is it?

17 A. It is the December 9, 2019 call from Vinny to Sittenfeld.

18 Q. How do you know that?

19 A. I have reviewed this disk, and I've placed my initials on  
20 it.

21 MS. GAFFNEY PAINTER: The government moves for the  
22 admission of Government Exhibit USA 37A.

23 MR. C. HENRY RITTGERS: No objection.

24 THE COURT: USA Exhibit 37A is admitted without  
25 objection.

1 Q. Now, Special Agent Holbrook, if you could turn to the tab  
2 marked USA Exhibit 37B.

3 A. Yes.

4 Q. Do you recognize this?

5 A. Yes.

6 Q. What is it?

7 A. This is a transcript to the November 9, 2019 call between  
8 Sittenfeld and Vinny.

9 Q. Did you review it for accuracy?

10 A. I did.

11 MS. GAFFNEY PAINTER: The government moves for the  
12 admission of Government Exhibit USA 37B.

13 MR. C. HENRY RITTGERS: No objection.

14 THE COURT: USA 37B is admitted without objection.

15 MS. GAFFNEY PAINTER: Your Honor, permission to  
16 publish to the jury?

17 THE COURT: You may. Ladies and gentlemen of the  
18 jury, there should be a tab in your transcript volume that  
19 says USA Exhibit 37B, to which you can turn now.

20 (Audio played.)

21 Q. Special Agent Holbrook, was there phone contact between  
22 Sittenfeld and Vinny on December 11, 2019?

23 A. Yes, there was. Mr. Sittenfeld called Vinny on that  
24 date.

25 Q. Could you please turn to the tab in your binder marked



1 USA 38A.

2 A. Yes.

3 Q. Do you recognize this?

4 A. Yes.

5 Q. What is it?

6 A. This is a disk containing the December 11, 2019 call  
7 between Sittenfeld and Vinny.

8 Q. How do you know that?

9 A. I reviewed the disk, and I placed my initials on it.

10 MS. GAFFNEY PAINTER: The government moves for the  
11 admission of Government Exhibit USA 38A.

12 MR. C. MATTHEW RITTGERS: No objection, Your Honor.

13 THE COURT: USA 38A is admitted without objection.

14 Q. The next tab, Special Agent Holbrook, is USA 38B. Do you  
15 recognize what appears behind that tab?

16 A. Yes.

17 Q. What is it?

18 A. This is a transcript of the December 11, 2019 telephone  
19 call between Mr. Sittenfeld and Vinny.

20 Q. Did you review it for accuracy?

21 A. I have.

22 MS. GAFFNEY PAINTER: The government moves for the  
23 admission of Government Exhibit USA 38B.

24 MR. C. HENRY RITTGERS: No objection, Your Honor.

25 THE COURT: USA 38B is admitted without objection.

1 MS. GAFFNEY PAINTER: Your Honor, may we publish this  
2 exhibit to the jury?

3 THE COURT: You may. Ladies and gentlemen of the  
4 jury, there should be a tab in your book that's labeled 38B,  
5 as in boy.

6 (Audio played.)

7 Q. Special Agent Holbrook, was there phone contact between  
8 Vinny and Sittenfeld on December 23, 2019?

9 A. Yes, there was.

10 Q. Was it recorded?

11 A. Yes.

12 Q. If you could turn in your binder to the tab marked  
13 USA 39A.

14 A. Yes.

15 Q. Do you recognize this?

16 A. I do.

17 Q. What is it?

18 A. This is a disk containing the December 23, 2019 call  
19 between Mr. Sittenfeld and Vinny.

20 Q. How do you know that?

21 A. I reviewed this disk, and I placed my initials on it.

22 MS. GAFFNEY PAINTER: The government moves for the  
23 admission of Government Exhibit USA 39A.

24 MR. C. HENRY RITTGERS: No objection, Your Honor.

25 THE COURT: USA 39A is admitted without objection.

## HOLBROOK - CONTINUED DIRECT

1 Q. If you could, Special Agent Holbrook, turn to the next  
2 tab in your binder, which is USA 39B.

3 A. Yes.

4 Q. Do you recognize this?

5 A. I do.

6 Q. What is it?

7 A. This is a December 23, 2019 transcript of a telephone  
8 call between Mr. Sittenfeld and Vinny.

9 Q. Have you reviewed it for accuracy?

10 A. I have.

11 MS. GAFFNEY PAINTER: The government moves for the  
12 admission of Government Exhibit USA 39B.

13 MR. C. HENRY RITTGERS: No objection, Your Honor.

14 THE COURT: USA 39B is admitted without objection.

15 MS. GAFFNEY PAINTER: Your Honor, may we publish this  
16 exhibit for the jury?

17 THE COURT: You may. Ladies and gentlemen of the  
18 jury, I believe the last tab in your book is USA 39B.

19 (Audio played.)

20 MS. GAFFNEY PAINTER: Your Honor, the government  
21 previously admitted Government Exhibit USA 11B. I would  
22 request permission to publish this exhibit to the jury.

23 THE COURT: You may do so.

24 Q. Special Agent Holbrook, directing your attention to the  
25 column that appears here on USA 11B marked "time."

1           What appears here in this column?

2           A.    This would be the time of the event in eastern standard  
3           time.

4           Q.    Was there any conversion required to get it to eastern  
5           standard time?

6           A.    Yes.   It was converted from UTC to eastern standard time.

7           Q.    Did you review these conversions for accuracy?

8           A.    Yes.

9                   MS. GAFFNEY PAINTER:   Your Honor, may I have just a  
10           moment?

11                   THE COURT:   You may.

12                   MS. GAFFNEY PAINTER:   No further questions, Your  
13           Honor.

14                   (Excerpted proceedings adjourned at 2:43 p.m.)

15                                   \*   \*   \*

16

17                                   C E R T I F I C A T E

18                                   -   -   -

19           I, M. SUE LOPREATO, RMR, CRR, certify that the foregoing  
20           is a correct transcript from the record of proceedings in the  
21           above-entitled matter.

21

22           /s/ M. Sue Lopreato  
23           M. SUE LOPREATO, RMR, CRR  
24           Official Court Reporter

25                                   July 25, 2022

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